

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

*This document relates to:* ILN/1:20-cv-04111

*Marion Hospital Corporation, et al. v.  
Abbott Laboratories (IL), et al.*

**MDL Docket No. 2804**

**Case No. 1:17-md-2804**

**Judge Dan Aaron Polster**

**STIPULATION AND [PROPOSED] ORDER DISMISSING WITH PREJUDICE  
CLAIMS PURSUANT TO NATIONAL SETTLEMENT AGREEMENTS**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for Plaintiff Massac Memorial, LLC d/b/a Massac Memorial Hospital (“Plaintiff”) and Defendants Cardinal Health, Inc., AmerisourceBergen Drug Corporation, and H.D. Smith, LLC f/k/a H.D. Smith Wholesale Drug Co. (collectively, the “Distributor Defendants”) that, pursuant to the election<sup>1</sup> of Plaintiff to participate in the Distributor Settlement Agreement, which was announced on July 21, 2021 and is now dated March 30, 2022, which is binding on Plaintiff and the Distributor Defendants, and which has an Effective Date of April 2, 2022, all claims of Plaintiff against any Distributor Defendant, including any entity identified in the Distributor Settlement Agreement, are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the Distributor Settlement Agreement to the extent provided under that Agreement.

Dated: July 6, 2022.

Respectfully submitted,

/s/ Patrick Murphy  
G. Patrick Murphy  
MURPHY & MURPHY LLC

<sup>1</sup> Plaintiff’s executed Settlement Participation Form is attached hereto as Exhibit A.

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Wholesale Drug Co.*

SO ORDERED this \_\_\_\_\_ day of July 2022.

\_\_\_\_\_  
Hon. Dan Aaron Polster  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on July 6, 2022, the above and foregoing pleading was electronically filed with the Clerk of Court of the United States District Court for the Northern District of Ohio by using the CM/ECF System. Notice of this filing will be sent to all counsel of record registered to receive electronic service by operation of the court's electronic filing system.

/s/ Patrick Murphy  
G. Patrick Murphy